

# Notice of Allowability

Application No.

10/649,724

Examiner

Man Phan

Applicant(s)

KOBAYASHI, YOSHIKAZU

Art Unit

2619

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 9/11/2007.
2. ☒ The allowed claim(s) is/are 3-12, 15-18, 23-32, 35-38, 41-50 (The claims are renumbered as 1-38 respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Reasons for allowance*

1. This communication is in response to applicant's 04/25/2006 amendment in the application of Kobayashi for the "Terminal device, method for processing communication data inside the terminal device, and program for implementing the method" filed 08/28/2003. This application claims foreign priority based on the application 288892/2002 filed October 01, 2002 in Japan. The proposed amendment has been entered and made of record. Claims 1, 2, 13, 14, 19-22, 33, 34, 39, 40 have been canceled per Applicant's request, and claims 3, 4, 23, 24, 41-50 have been amended. The claims have been amended to better point out and more distinctly claim subject matter comprising the invention.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. The application has been amended as follows:

IN THE CLAIMS:

Claim 41, line 1: "A computer-readable medium storing a program capable of being executed by a program controlled computer" is changed to -- A computer-readable medium storing a program for executing a program controlled computer --

Claim 45, line 1: "A computer-readable medium storing a program capable of being executed by a program controlled computer" is changed to -- A computer-readable medium storing a program for executing a program controlled computer --

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Claims 3-12, 15-18, 23-32, 35-38, 41-50 are allowable as evident by applicant's amendment (The claims are renumbered as 1-38 respectively).

6. The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose or suggest wherein a cache table in which specific session information is registered in advance; and multiple FIFOs each corresponding to the send priority, wherein the sending section includes: a header comparison section that, if a send request for a send frame is issued from the protocol stack section, determines a send priority of the send request by searching the cache table based on header information at layer2 to layer4 of OSI within the send frame, and then queues the send request to one of the multiple FIFOs corresponding to the send priority determined; and a synthesis section that synthesizes send requests outputted from the multiple FIFOs according to the send priority of the one of the multiple FIFOs to which the send request is queued, and then outputs a synthesized send request to the device driver section; wherein the middleware section includes a sending section that: if a send request to a

predetermined destination for a specific packet defined by a communication protocol at higher than or equal to layer5 of OSI is issued from the protocol stack section in advance and if the send request is a first one of consecutive send requests, checks on header information of the specific packet, then registers into the cache table session information extracted from headers at layer2 to layer4 of OSI within a send frame carrying the specific packet, raises a send priority of the send request, and outputs the send request to the device driver section; and if the send request is among the consecutive send requests other than the first one and if session information extracted from headers at layer2 to layer4 of OSI within a send frame carrying the specific packet is registered in the cache table, raises a send priority of the send request, and outputs the send request to the device driver section, as specifically recited in the claims.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Man U. Phan whose telephone number is (571) 272-3149. The examiner can normally be reached Monday through Friday from 6:00 am to 3:00 pm.

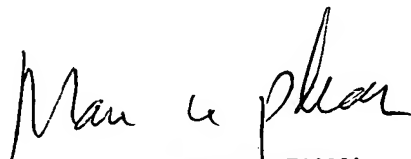
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at toll free 1-866-217-9197.

Mphan

Nov. 20, 2007

  
**MAN U. PHAN**  
**PRIMARY EXAMINER**